

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TYRONE J. LLOYD,)	
)	
Plaintiff,)	Case No. 08CV3059 PH
)	
v.)	Judge Guzman
)	Magistrate Judge Cox
FORD MOTOR COMPANY,)	
)	
Defendant.)	

FORD MOTOR COMPANY’S MOTION TO DISMISS PLAINTIFF’S COMPLAINT

Defendant Ford Motor Company (“Ford”), by and through its counsel, hereby moves the Court, pursuant to Fed. R. Civ. P. 12(b)(6), to dismiss Plaintiff Tyrone Lloyd’s Complaint in its entirety for failure to state a claim upon which relief can be granted. More specifically, plaintiff’s claims are based on conduct that falls outside of the applicable statute of limitations. Additionally, plaintiff’s Count II (race discrimination under Title VII) is barred by his failure to satisfy the administrative prerequisites of filing a Charge of Discrimination on the basis of race before the EEOC. Finally, any and all claims arising out of conduct occurring on or before March 26, 2001 are additionally and alternatively barred by a settlement agreement and release entered into between Ford and plaintiff on that date. In further support of this Motion, Ford refers the Court to its Memorandum in Support which is being filed contemporaneously herewith.

WHEREFORE, Ford prays that the Court dismiss plaintiff’s Complaint in its entirety, award Ford its costs incurred in the defense of these claims, and grant such other and further relief as the Court deems just and proper.

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CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2008, the foregoing was filed electronically with the Clerk of the court to be served by operation of the court's electronic filing system upon the following:

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